

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No. 10309 of 2022

MD. Vaarish @ Raj @ Warrish
Hazan

Petitioner

Mr. B.K. Ragada, Advocate

-versus-

State of Odisha

Opposite Party

Mr. P.K. Maharaj, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
10.11.2022

Order No.

01.

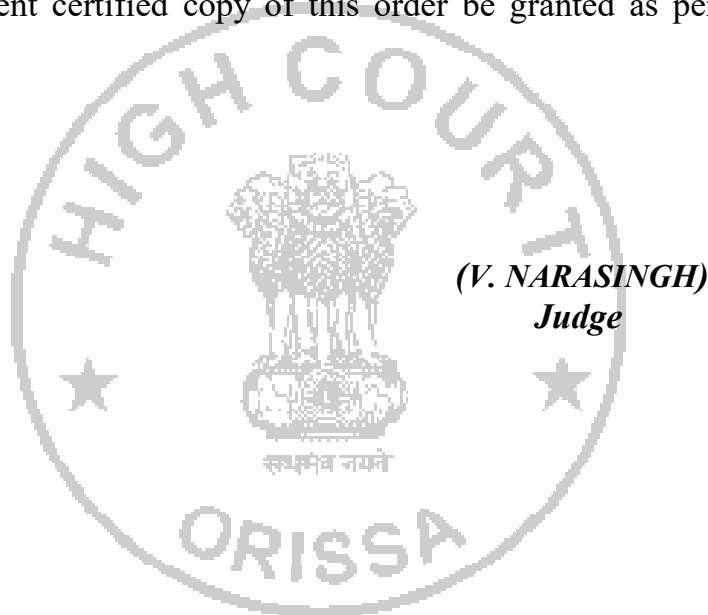
1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is an accused in C.T. Case No.2492 of 2022, pending in the file of learned S.D.J.M., Jharusuguda, arising out of Badmal P.S. Case No.205 of 2022, for commission of alleged offence under Sections 120-B/392 of IPC and is in custody since 25.09.2022.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned ADJ-cum-Special Court under POCSO Act, Jharsuguda by order dated 12.10.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the petitioner that the petitioner is in custody since 25.09.2022 and taking into account the nature of allegations and that the petitioner is a first offender his case may be considered liberally.
6. Learned counsel for the State opposes the prayer for bail.

7. Taking into account the age of the petitioner and as it is stated that the petitioner is the first offender, this Court directs the petitioner to be released on bail on such terms to be fixed by the learned Court in seisin over the matter.

8. While enlarging the petitioner on bail the learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the petitioner has criminal antecedent of any nature this order shall stand recalled.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per the rules.



Santoshi